

REMARKS

Claims 1-4 and 6-8 are currently pending, claims 12-17 being non-elected and subject to continued prosecution in a divisional application.

Claims 1-4 and 6-8 are hereby amended,. Claim 5 is cancelled. Claim 1 is an independent apparatus claim and all remaining claims are directly or indirectly dependent on claim 1. Accordingly, if claim 1 is patentable over the applied references, all remaining claims should likewise be held patentable.

The Examiner has rejected claims 2 and 5 under 35 U.S.C. §112 (2nd ¶) for the reasons set forth on page 3 of the Official Action and not herein repeated. Applicants believe that the formal rejection is now moot in view of the amendment to claim 2 and cancellation of claim 5.

On the merits, the Examiner has rejected claims 1-4 and 8 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 5,841,021 (DeCastro et al.). The arguments advanced in support of this rejection are set forth on pages 3 and 4 of the Official Action, and not herein repeated.

Claims 5-7 have been rejected under 35 U.S.C. §103(a) as obvious over DeCastro et al. in view of U.S. Patent No. 6,101,875 (Meixner et al.). The arguments advanced in support of this rejection are discussed on pages 5-6 of the Official Action and not herein repeated.

Applicants respectfully traverse all grounds for rejection advanced by the Examiner.

PATENT

According to Applicants, claim 1 of the pending application calls for a gas sensor having two sensor regions that are independent of one another and have a different catalytic activity. Re DeCastro et al does not teach or suggest such a gas sensor. Compare DeCastro et al. at column 9, lines 19-25, and column 6, line 2 4-27, with Applicants disclosure at page 5, lines 19-24 and 29 through page 6, line 6. Further Applicants gas sensor is not an ion conductor sensor as disclosed in DeCastro et al., but rather a sensor which utilizes an electron conductive layer, wherein electron density is a function of the gas, the measurement of which occurs inside the layer and not at the electrodes.

In view of the amendments, and arguments advanced herein, Applicants request reconsideration of the pending claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bradley B. Geist', is written over a horizontal line.

Bradley B. Geist
Patent Office Reg. No. 27,551

Attorney for Applicants
(212) 408-2562

Baker Botts L.L.P.
30 Rockefeller Plaza
New York NY 10112